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Attorneys for Secured Creditor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:	Chapter 13
Emadeddin Barakat,	Case No. 19-29536-JKS
	Hearing Date: December 12, 2019 at 10:00 a.m.
Debtor.	Judge: John K. Sherwood

**RESPONSE BY SECURED CREDITOR TO DEBTOR'S
MOTION TO SELL OF REAL ESTATE LOCATED AT
27 MOONACHIE AVE, MOONACHIE, NJ 07074**

JPMorgan Chase Bank, National Association ("Secured Creditor"), by its counsel, McCalla Raymer Leibert Pierce, LLC, states the following grounds as and for the following response to Emadeddin Barakat's ("Debtor") Motion to Sell Property (the "Motion"):

1. Secured Creditor holds the perfected first mortgage on Debtor's real property; the property commonly known as 27 Moonachie Ave, Moonachie, NJ 07074 (the "Property").
2. On November 19, 2019, Debtor filed the Motion to Sell Property for the principal sum of \$365,000.00. (Docket Entry No. 21).
3. The total payoff due to Secured Creditor as of June 14, 2019 is \$245,806.67.
4. Secured Creditor is entitled to payment in full upon the closing of the proposed sale.
5. Secured Creditor does not object to the proposed sale of the Property pursuant to

Section 363 of the Bankruptcy Code provided that Secured Creditor's lien attaches to the proceeds of the sale, and provided that the proceeds from the proposed sale are sufficient to (a) pay Secured Creditor's loan in full, which is due and owing as of the closing on the Property with all subsequent fees and interest due thereupon, or (b) as otherwise agreed in writing by Secured Creditor.

6. Additionally, the balance of what is due and owing as of the date of closing must be paid at closing from the proceeds of the sale of the Property, and the sale of the property must be completed within 120 days after entry of the Order.

7. Secured Creditor files this non-objecting response to ensure it that it is paid in full at closing and to advise that it otherwise has no objection to the Debtor's sale Motion.

Dated: December 6, 2019

McCalla Raymer Leibert Pierce, LLC
Attorneys for The Bank of New York Mellon,
f/k/a The Bank of New York, as trustee, on
behalf of the holders of the Alternative Loan
Trust 2005-55CB, Mortgage Pass-Through
Certificates Series 2005-55CB by Select
Portfolio Servicing, Inc., the servicing agent

/s/Melissa Licker

By: Melissa Licker

Melissa Licker
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CERTIFICATION OF SERVICE

1. I, Dianne Marin

- ☐ represent the _____ in the above-captioned matter.
- ☒ am the secretary/paralegal for McCalla Raymer Leibert Pierce, LLC who represents the Secured Creditor.
- ☐ am the _____ in the above case and am representing myself.

2. On December 6, 2019, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below:

- Response by Secured Creditor to Debtor's Motion to Sell of Real Property Located at 27 Moonachie Ave, Moonachie, NJ 07074

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

December 6, 2019

Date

/s/Dianne Marin

Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Marie-Ann Greenberg Standing Chapter 13 Trustee 30 Two Bridge Road Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Name of Electronic Filing (NEF) <input type="checkbox"/> Other NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)
Emadeddin Barakat 201 West 2nd Street Clifton, NJ 07011	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Name of Electronic Filing (NEF) <input type="checkbox"/> Other NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)
Valerie Palma DeLuisi Law Office of Nicholas J. Palma, Esq., P.C. 1425 Broad Street Second Floor Clifton, NJ 07013	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Name of Electronic Filing (NEF) <input type="checkbox"/> Other NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other: NEF, per D.N.J. LBR 5005-1(as authorized by court or by rule. Cite the rule if applicable*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.